

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**FRANCISCO VILLAGOMEZ,**  
*Petitioner*

v.

**GERALDO ROSALEZ, Warden,**  
*Respondent*

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**1:22-CV-00554-LY-SH**

**ORDER**

Before the Court are Petitioner Francisco Villagomez's Motion to Enlarge Time to Reply (Dkt. 8) and Motion for Transcripts (Dkt. 9), both filed October 19, 2022. The District Court referred this case to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), Federal Rule of Civil Procedure 72, Rule 1 of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, and the Court Docket Management Standing Order for United States District Judge Lee Yeakel. Dkt. 2.

In his Motion for Transcripts, Villagomez asks the Court to request a transcript of his sentencing hearing, which took place on August 23, 2019 in his criminal case, *United States v. Villagomez*, No. 1:17-cr-00144-RP-1. Villagomez asserts that these transcripts contain information pertinent to his pending motion under 28 U.S.C. § 2241 and will establish the basis for a remedy. Villagomez's Motion to Enlarge Time to Reply asks the Court for a 30-day extension based on his need for the requested documents.

The Court finds that the Motion for Transcripts (Dkt. 9) should be **GRANTED**. The Court **ORDERS** the United States Attorney, on behalf of Respondent, to order and provide payment for the transcript **on or before October 28, 2022**. The Court further **ORDERS** Respondent to file a supplemental response with the transcript attached within fourteen (14) days of the filing of the

transcript. Respondent's supplemental response should address whether Villagomez's sentence was adjusted under United States Sentencing Guidelines Manual § 5G1.3.

The Court further finds that the Motion to Enlarge Time to Reply (Dkt. 8) should be **GRANTED**. Villagomez shall file his reply within thirty (30) days of the filing of the supplemental response by Respondent.

**SIGNED** on October 21, 2022.



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SUSAN HIGHTOWER  
UNITED STATES MAGISTRATE JUDGE